

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2993/P2dn
RCT:sac:jf

January 10, 2014

This is a second preliminary version of the dangerous animal proposal. I have changed the term to describe the animals regulated under proposed s. 173.50 to “dangerous exotic animals” to help clarify the difference between the animals regulated under proposed s. 173.50 and those regulated by DNR under the captive wildlife law, ch. 169, as modified by this draft. Please review the draft carefully. There are notes in the draft concerning specific provisions.

Please note that the treatment of s. 169.11 in combination with s. 169.04 (4) (b) deprives DNR of the authority to regulate dangerous exotic animals under ch. 169.

The redraft instructions indicated that the definition of “wild animal” in ch. 29 should be amended. Chapter 29 is long and complex and changes to it may cause concern among various interest groups. I do not think that DNR has authority under ch. 29 that would allow it to take actions with respect to dangerous exotic animals that conflict with proposed s. 173.50. There also may be some provisions of ch. 29 that you would want to apply with respect to dangerous exotic animals. An example might be s. 29.506 concerning taxidermists. In addition, there are provisions of ch. 29 that use the defined terms “game” or “game animals” (which are very broadly defined), rather than “wild animal” and changing the definition of “wild animal” would not affect those provisions. If you remain concerned about DNR’s authority under ch. 29 as it relates to dangerous exotic animals, we should go through the chapter carefully to determine any changes that should be made. It would be helpful to have permission to discuss DNR’s authority under ch. 29 with someone from DNR, in case questions arise in the course of that review.

Please contact me with any questions or redraft instructions.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov